

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FELIX LUCERO,
Petitioner,

No. C 12-1282 SI (pr)

ORDER OF TRANSFER


v.

VINCENT CULLEN, Warden,
Respondent.

Felix Lucero, an inmate at San Quentin State Prison, has filed a petition for writ of habeas corpus to challenge his conviction from the San Joaquin County Superior Court. San Joaquin County lies within the venue of the Eastern District of California. The facility Lucero is incarcerated at is in Marin County, within the venue of the Northern District of California. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, a petition challenging a conviction or the sentence imposed is preferably heard in the district of conviction. *See* N. D. Cal. Habeas L.R. 2254-3(b). Because the conviction occurred in the Eastern District of California, pursuant to 28 U.S.C. § 1404(a) and Habeas L.R. 2254-3(b), and in the interests of justice, this action is TRANSFERRED to the United States District Court for the Eastern District of California. The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

DATED: April 10, 2012



SUSAN ILLSTON
United States District Judge